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18 THE HERSHEY COMPANY

19 **UNITED STATES DISTRICT COURT**  
20 **NORTHERN DISTRICT OF CALIFORNIA**  
21 **SAN FRANCISCO DIVISION**

22 GREGORY P. BARNES, et al.  
23  
24 Plaintiffs,  
25  
26 vs.  
27  
28 THE HERSHEY COMPANY,  
Defendant.

Case No. 3:12-cv-01334-CRB

**[PROPOSED] ORDER GRANTING  
ADMINISTRATIVE MOTIONS TO SEAL**

1 This Matter came before the Court on the Administrative Motion of Plaintiffs' to File  
 2 Under Seal Documents, ECF 239, Defendant The Hershey Company's Administrative Motion to  
 3 File Documents Under Seal, ECF 234, and the Administrative Motion of Plaintiffs' to File Under  
 4 Seal Documents, ECF 245, (collectively, the "Motions"). The Court, having previously ruled on  
 5 the Motions, hereby supplements its April 21, 2015 ruling as follows. Having considered the  
 6 papers submitted and the papers on file in this case, and for the compelling reasons set forth in the  
 7 Supplemental Declaration of Brandon J. Brigham In Support of Administrative Motions to File  
 8 Documents Under Seal, ECF 264, the Motions are hereby GRANTED, in part, and DENIED, in  
 9 part, and the Court orders the following document sealed:

- 10 1. The redacted portions of Plaintiffs' Opposition to Defendant's Motion for Partial  
 11 Summary Judgment, ECF 264-16.
- 12 2. Exhibits 45, 46, 85, 91 to the Declaration of Brian J. Malloy in Support of Plaintiffs'  
 13 Motion for Partial Summary Judgment on Defendant's Affirmative Defense of Waiver  
 14 ("Malloy Declaration").
- 15 3. The redacted portions of Exhibits 27 to 34, 43, 49, 81, 76, 88, and 90 to the Malloy  
 16 Declaration, ECF 264-1 to ECF 264-13.
- 17 4. The redacted portions of Exhibit 7 to the Declaration of Brandon J. Brigham In Support  
 18 of Defendant The Hershey Company's Motion for Partial Summary Judgment, ECF 264-  
 19 14.
- 20 5. The redacted portions of Exhibit A to the Declaration of Brian J. Malloy In Support of  
 21 Plaintiffs' Opposition to Defendants' Motion for Partial Summary Judgment, ECF 264-  
 22 15.

23 IT IS FURTHER ORDERED THAT Plaintiffs shall file in the public record Exhibits 23  
 24 to 24, 41 to 42, 44 to 45, 48, 58, 60, 80, 83, 87, 89, and 92 to the Malloy Declaration within ten  
 25 (10) days of the entry of this Order or those documents will not be considered by the Court when  
 26 ruling on either Defendant The Hershey Company's Motion for Partial Summary Judgment, ECF  
 27 229, or Plaintiffs' Motion for Partial Summary Judgment regarding Defendant's Affirmative  
 28 Defense of Waiver, ECF 236.

**IT IS SO ORDERED.**

Dated this 7th day of May, 2015.

